

**BEFORE THE APPEALS BOARD  
FOR THE  
KANSAS DIVISION OF WORKERS COMPENSATION**

<b>NONA MORROW</b>	)	
Claimant	)	
VS.	)	
	)	Docket Nos. 176,942
<b>COLGATE PALMOLIVE COMPANY</b>	)	& 217,522
Respondent	)	
AND	)	
	)	
<b>TRAVELERS INSURANCE COMPANY</b>	)	
Insurance Carrier	)	
AND	)	
	)	
<b>KANSAS WORKERS COMPENSATION FUND</b>	)	

**ORDER**

Respondent appeals the Award of Assistant Director Brad E. Avery dated January 23, 1998. Oral Argument was heard on August 18, 1998, in Kansas City, Kansas.

**APPEARANCES**

Claimant appeared by her attorney, Jan L. Fisher of Topeka, Kansas. Respondent and its insurance carrier appeared by their attorney, James E. Martin of Overland Park, Kansas. The Kansas Workers Compensation Fund appeared by its attorney, Brian W. Fields of Kansas City, Missouri. There were no other appearances.

**RECORD AND STIPULATIONS**

The record and stipulations as specifically set forth in the Award of the Assistant Director are herein adopted by the Appeals Board. The Board does note the stipulated date of accident listed in the Award in Docket No. 176,942 should read March 17, 1991, rather than May 17, 1991.

**ISSUES**

Docket No. 176,942:

- (1) Did claimant suffer accidental injury arising out of and in the course of her employment with respondent on the date or dates alleged?
- (2) What is the nature and extent of claimant's injury and/or disability?
- (3) Is claimant entitled to unauthorized and future medical treatment?
- (4) What, if any, is the liability of the Kansas Workers Compensation Fund?

Docket No. 217,522:

- (1) Did claimant meet with personal injury by accident arising out of and in the course of her employment from October 21, 1991, through March 22, 1992?
- (2) Did claimant provide notice in a timely fashion as required by K.S.A. 44-520?
- (3) Did claimant provide written claim in a timely fashion as required by K.S.A. 44-520a?
- (4) What is the nature and extent of claimant's injury and/or disability, if any?
- (5) Is claimant entitled to unauthorized or future medical treatment?
- (6) Is respondent entitled to a credit?
- (7) What, if any, is the liability of the Kansas Workers Compensation Fund?

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Having reviewed the entire evidentiary record, in addition to the stipulations of the parties, the Appeals Board makes the following findings of fact and conclusions of law:

The Appeals Board finds that the Award of the Assistant Director sets out findings of fact and conclusions of law in some detail and it is not necessary to repeat those herein. The findings and conclusions enumerated in the Award of the Assistant Director are accurate and appropriate, and the Appeals Board adopts same as its own findings and conclusions as if specifically set forth herein as to the issues raised.

**AWARD**

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the Award of Assistant Director Brad E. Avery dated January 23, 1998, should be, and is hereby, affirmed.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of September 1998.

\_\_\_\_\_  
BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Jan L. Fisher, Topeka, KS  
James E. Martin, Overland Park, KS  
Brian W. Fields, Kansas City, MO  
Brad E. Avery, Assistant Director  
Philip S. Harness, Director